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APPLICATION NUMBER	FILING OR 371(c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/670,914	09/24/2003	David W. Morris	529452002700

 25226  
 MORRISON & FOERSTER LLP  
 755 PAGE MILL RD  
 PALO ALTO, CA 94304-1018

 CONFIRMATION NO. 8849  
 FORMALITIES LETTER


\*OC000000011852921\*

Date Mailed: 02/06/2004

# NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

## Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to:    Mail Stop Missing Parts  
   Commissioner for Patents  
   P.O. Box 1450  
   Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

\_\_\_\_\_  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



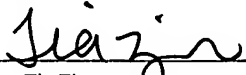
PATENT  
Docket No. 529452002700

**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**

Express Mail Label No.: EV336622668US

Date of Deposit: August 5, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Tia Zimmermar

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the application of:

David W. MORRIS et al.

Serial No.: 10/670,914

Filing Date: September 24, 2003

For: NOVEL THERAPEUTIC TARGETS IN  
CANCER

Examiner: Not Yet Assigned

Group Art Unit: 1645

**TRANSMITTAL AND STATEMENT UNDER 37 C.F.R. §§ 1.52(e) AND 1.821(f) TO  
SUPPORT FILING AND SUBMISSION**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is in Response to the Notice to File Missing Parts of Nonprovisional Application with respect to the compliance with requirements of 37 C.F.R. 1.52(e) mailed on February 6, 2004.

Applicants have also enclosed a compact disc labeled "Sequence Listing – Copy 1" and a compact disc labeled "Sequence Listing – Copy 2".

The undersigned hereby states that the sequence listing information recorded in computer readable form (labeled "Sequence Listing – Copy 1") and submitted under 37 C.F.R. § 1.821 (e)

is identical to the compact disc copy of the sequence listing (labeled "Sequence Listing – Copy 2") submitted under 37 C.F.R. § 1.821 (c), and is in accordance with 37 C.F.R. §§ 1.821-1.824, § 1.52(e) and § 1.96(c). The submission includes no new matter.


Listed below are the particulars of the two compact discs containing the Sequence Listing:

1. Machine Format: IBM-PC
2. Operating System Compatibility: PC-DOS/MS-DOS
3. List of Files: ASCII Sequence Listing for 52945-20027.00
4. Size of each in bytes: 3,453,835 bytes
5. Date of creation for each: August 4, 2004.

In the unlikely event that the Patent Office determines that an extension and/or other relief is required as a result of this statement, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due to our **Deposit account no. 03-1952** referencing 529452002700. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Dated: August 5, 2004

By:   
Shantanu Basu  
Registration No. 43,318

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